



UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

744

N/V

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/182,842 10/29/98 BEHL

S 033129-001

EXAMINER

MM02/0504

ABRAMS, N	ART UNIT	PAPER NUMBER
-----------	----------	--------------

KEVIN H FORTIN
BURNS DOANE SWECKER & MATHIS LLP
333 TWIN DOLPHIN DRIVE
SUITE 700
REDWOOD SHORES CA 94065-1418

2839
DATE MAILED:

05/04/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No. <i>07/182542</i>	Applicant(s)
Examiner <i>N. Abrams</i>	Group Art Unit <i>2839</i>

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

Responsive to communication(s) filed on 4-2-01
 This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

Claim(s) 1, 3-11, 13-17 is/are pending in the application.
Of the above claim(s) _____ is/are withdrawn from consideration.
 Claim(s) _____ is/are allowed.
 Claim(s) 1, 3-11, 13-17 is/are rejected.
 Claim(s) _____ is/are objected to.
 Claim(s) _____ are subject to restriction or election requirement

Application Papers

- The proposed drawing correction, filed on _____ is approved disapproved.
- The drawing(s) filed on _____ is/are objected to by the Examiner
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- All Some* None of the:
 - Certified copies of the priority documents have been received.
 - Certified copies of the priority documents have been received in Application No. _____.
 - Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- Interview Summary, PTO-413
- Notice of Reference(s) Cited, PTO-892
- Notice of Informal Patent Application, PTO-152
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Other _____

Office Action Summary

Art Unit: 2839

Claims 1, 3-11, 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai in view of Shieh, Lee Darden, Heung, Lwee, Klatt, and admitted prior art.

The patents are applied as discussed in the last office action,. Basically it would have been obvious to form the Tsai device (housing 12) in the manner of a plug-in cartridge with rails as in Darden and admitted prior art, fig. 1.

Also obvious that the slots at 211 could be used for plural cards in view of Lwee (figs. 3, 4) and Klatt at 10, 20. If one card were smaller than another as in Klatt than it would have been obvious to offset the slots. Also obvious to add a fan if cooling were needed in view of Pollard and Heung who show plug-in modules with. Also obvious (claim 13) for the fan to be powered from the module receiver as in Heung. Handle and latch use taught by Darden. Basically Tsai shows a carrier for a HDD 5 and it would have been obvious to use the Tsai slots 212 for memory cards just as Lwee shows alternative use of slots for HDD and memory cards (figs. 3, 4).

Claims 1, 3-11 and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art in view of Darden, Shieh, Uwaba, Pollard, Wallace, Lwee, Klatt, Tsai and Heung).

Obvious to form the prior art fig. 1, HDD carrier 12 in the manner of the Uwabo device, figs. 3 with card slots 51, 53 and as further taught by Wallace, fig. 1 and col. 7, lines 38-41.

Use of slots for HDD expansion also taught by Tsai.

Term offset does not clearly define structurally over the Uwabo slots. Further obvious to offset such slots for different size cards like those of Klatt at 9, 17. Shieh at 9 and Lwee at 27

Art Unit: 2839

show examples of guides usable for such cards. Also obvious to add an fan as in Pollard at 28 and Heung st 30.

Also obvious to use a latch and handle as in Darden.

Claims 1,3-11, 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pollard in view of Uwaba, Wallace Darden Tsai, Lwee and Klatt Tsai and Heung

Obvious to form the Pollard HDD10 with dual slots in view of Uwabo, Wallace and Tsai (taken with Lwee). Term offset" does not unobvious define over a set of such slots as in Uwabo at 51, 53. Darden applied above. Use of fan shown by Pollard and further disclosed by Heung.

Also obvious to use offset slots for different size cards as in Klatt. Tsai/Lwee also applied as discussed in rejections above.

Obvious use such Tsai slot features in Pollard carrier but adapted for memory cards as in Lwee or Klatt.

Applicant's arguments filed with the amendment have been fully considered but they are not persuasive.

Note that no arguments are directed to the "fan" limitation and addition of such feature is considered an obvious variation.

None of the other arguments clearly point out unobviousness of the invention. Basically, the Tsai receiver at ⁴⁰ could be read as a bay of a personal computer and formed with rails to slidably receive the carrier 122. Terms "docketing assembly" and "rack" do not overcome the Tsai system, so formed.

Art Unit: 2839

The argument regarding a "hard drive bay" are not seen to be pertinent since not related to actual claim limitation.

Also see new references as applied above.

Any inquiry concerning this communication should be directed to N. Abrams at telephone number (703) 308-1729.

Abrams/ds

05/02/01


NEIL ABRAMS
EXAMINER
ART UNIT 322